

AGENDA

REGULAR MEETING

**CITY COUNCIL & REDEVELOPMENT AGENCY
CITY OF YUBA CITY**

AUGUST 4, 2009

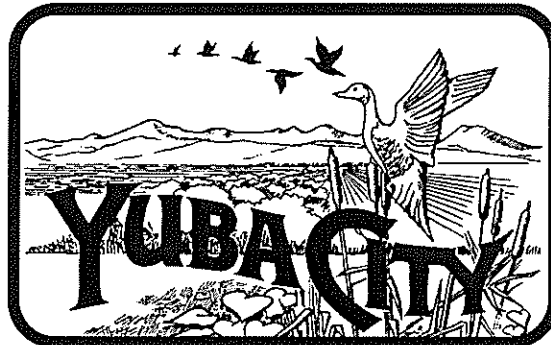
**CLOSED SESSION – 6:00 P.M. – BUTTE ROOM
REGULAR MEETING – 7:00 P.M. – COUNCIL CHAMBERS**

**LESLIE McBRIDE
Mayor**

**KASH GILL
Mayor Pro Tem**

**JOHN DUKES
Councilmember**

**TEJ MAAN
Councilmember**



**JOHN MILLER
Councilmember**

**STEVEN JEPSEN
City Manager**

**TIMOTHY HAYES
City Attorney**

**Council Chambers Wheelchair Accessible
1201 Civic Center Blvd., Yuba City, CA**

If you need assistance in order to attend the City Council meeting, or if you require auxiliary aids or services, e.g., hearing aids or signing services to make a presentation to the City Council, the City is happy to assist you. Please contact City offices at 530/822-4601 at least 72 hours in advance so such aids or services can be arranged.

City Hall TDD: 530-822-4732

**AGENDA
REGULAR MEETING OF
CITY COUNCIL & REDEVELOPMENT AGENCY
CITY OF YUBA CITY
Council Chambers
August 4, 2009
Closed Session 6:00 P.M.
Regular Meeting 7:00 P.M.**

Materials related to an item on this Agenda submitted to the Council/Redevelopment Agency after distribution of the agenda packet are available for public inspection in the City Clerk's office at 1201 Civic Center Blvd., Yuba City, during normal business hours. Such documents are also available on the City of Yuba City's website at www.yubacity.net subject to staff's availability to post the documents before the meeting.

Closed Session 6:00 p.m.—Butte Room

Confer with legal counsel pursuant to Government Code section 54956.9 (b) regarding potential litigation - one potential case.

Confer with labor negotiators Steven Jepsen and Steve Kroeger regarding negotiations with the following associations: Yuba City Police Officers, Police Sergeants, Yuba City Firefighters Local 3793, Yuba City Fire Management, Confidential Employees, Executive Services Employees, First Level Managers, Mid Managers, and Yuba City Employees, pursuant to Section 54957.6 of the Government Code.

Regular Meeting 7:00 p.m.—Council Chambers

Call to Order

Roll Call: _____ Mayor McBride
 _____ Mayor Pro Tem Gill
 _____ Councilmember Dukes
 _____ Councilmember Maan
 _____ Councilmember Miller

Invocation

Pledge of Allegiance to the Flag

Public Hearings

1. General Plan Amendment GP 09-02 to adopt the 2008 update to the Yuba City Housing Element

Recommendation: Conduct a public hearing, and after consideration of the Negative Declaration, concur with the Planning Commission's recommendations, which are to:

- a. Adopt the finding that following review and consideration of the Negative Declaration and any comments received, there is no substantial evidence that the project will have a significant impact on the environment.
- b. Adopt the Negative Declaration as contained in Exhibit A.

- c. Adopt the finding that General Plan amendment GP 09-02 for the adoption of the 2008 Housing Element is in the public interest.
- d. Adopt a resolution approving General Plan amendment GP 09-02 to adopt the Housing Element.

2. General Plan Amendment GP 09-01 to change the Sphere of Influence and to assign a land use designation of "Public & Semi-Public" and Rezone 09-01 to assign pre-annexation Zoning classification of "Public Facilities – PF" on 20 acres located north of the City Limits and east of State Route 99 to accommodate Yuba College

Recommendation: Conduct a public hearing, and after consideration of the Mitigated Negative Declaration, concur with the Planning Commission's recommendations, which are to:

- a. Adopt the finding that the Mitigated Negative Declaration prepared and adopted by the Yuba Community College District adequately mitigates environmental impacts below a level of significance.
- b. Adopt the finding that General Plan amendment GP 09-01 to amend the Sphere of Influence and to assign a land use designation of "Public & Semi-Public" is in the public interest.
- c. Adopt a resolution approving General Plan amendment GP 09-01 to amend the Sphere of Influence and to assign a land use designation of "Public & Semi-Public", as shown on Exhibit A of the Resolution.
- d. Adopt the following findings for Rezone RZ 09-01:
 - (1) RZ 09-01 is consistent with the "Public & Semi-Public" land use designation as amended and as described in the Yuba City General Plan,
 - (2) RZ 09-01 is consistent with the planned surrounding land uses, and
 - (3) There are or will be adequate public facilities available to properly serve the development, including streets to adequately handle the anticipated traffic.
- e. Introduce an ordinance for approval of Rezoning RZ 09-01 to assign pre-annexation Zoning of Public Facilities District (PF), as shown on Exhibit C, and waive the first reading.

3. Yuba City Landscape Maintenance District No. 1 (Stabler Lane/Garden Highway and Town Square Areas, respectively) - Resolution Confirming Diagram and Assessment and Levying the Assessment

Recommendation: Conduct the public hearing, then adopt a resolution confirming the diagram and assessment and levying the assessment for FY 2009-10, pursuant to the Landscaping and Lighting Act of 1972.

4. Yuba City Lighting and Landscape Maintenance District No. 2, 3, 4 & 5 (Town Center and 69 subdivisions throughout the City) - Resolution Confirming Diagram and Assessment and Levying the Assessment

Recommendation: Conduct the public hearing, then adopt a resolution confirming the diagram and assessment and levying the assessment for FY 2009-10, pursuant to the Landscaping and Lighting Act of 1972.

5. Yuba City Lighting and Landscape Maintenance District No. 6 (Commercial District – Sunsweet Area, Harter Parkway, Cinemark Movie Theater, La Bella Vita) - Resolution Confirming Diagram and Assessment and Levying the Assessment

Recommendation: Conduct the public hearing, then adopt a resolution confirming the diagram and assessment and levying the assessment for FY 2009-10, pursuant to the Landscaping and Lighting Act of 1972.

6. Yuba City Residential Street Light Maintenance Districts (Walton Area and Tierra Buena Area) – Resolution Confirming Diagram and Assessment and Levying the Assessment

Recommendation: Conduct the public hearing, then adopt a resolution confirming the diagram and assessment and levying the assessment for FY 2009-10, pursuant to the Benefits Assessment Act of 1982.

Public Communication

You are welcome and encouraged to participate in this meeting. Public comment is taken on items listed on the agenda when they are called. Public comment on items not listed on the agenda will be heard at this time. Comments on controversial items may be limited and large groups are encouraged to select representatives to express the opinions of the group.

7. Written Requests

Members of the public submitting written requests, at least 24 hours prior to the meeting, will be normally allotted 5 minutes to speak.

8. Appearance of Interested Citizens

Members of the public may address the City Council on items of interest that are within the City's jurisdiction. Individuals addressing general comments are encouraged to limit their statements to 3 minutes.

Bid Openings

9. SR-99 Median Improvement Project (City Council & RDA)

Recommendation:

- a. Award Contract No. 08-26, SR-99 Median Improvement Project, to Newland Entities Inc., of Yuba City, CA in the amount of their total bid of \$199,883.91
- b. Authorize the City Manager to execute the contract on behalf of the City, following approval by the City Attorney.
- c. Adopt a resolution of the City Council approving and authorizing execution of a public works agreement with the Redevelopment Agency for construction of the SR-99 Median Improvement Project.
- d. Adopt a resolution of the Redevelopment Agency approving and authorizing execution of a public works agreement with

the City of Yuba City for construction of the SR-99 Median Improvement Project.

Consent Calendar

All matters listed under Consent Calendar are considered to be routine and can be enacted in one motion. There will be no separate discussion of these items prior to the time that Council votes on the motion unless members of the City Council, staff or public request specific items to be discussed or removed from the Consent Calendar for individual action.

10. Yuba-Sutter Economic Development Corporation 2009-2010 Comprehensive Economic Development Strategy (CEDS)

Recommendation: Adopt a resolution approving the 2009-2010 CEDS to continue the Yuba-Sutter Economic Development District's eligibility for financial assistance another year.

11. Request for authorization to apply for an \$800,000 grant from the HOME Investment Partnerships Program ("HOME") through the State of California Department of Housing and Community Development to fund a First Time Home Buyer Down Payment Assistance Program

Recommendation: Adopt a resolution of the City Council of the City of Yuba City authorizing submittal of an application to the California State Department of Housing and Community Development for funding under the HOME Investment Partnerships Program and authorizing, if selected, the execution of a standard agreement, any amendments thereto and of any related documents necessary to participate in the HOME Investment Partnerships Program.

12. Request for City authorization of an application for a grant of up to two million, one hundred thousand, dollars (\$2,100,000) from the HOME Investment Partnerships Program ("HOME") through the State of California Department of Housing and Community Development for construction financing for Plumas Family Apartments.

Recommendation: Adopt a resolution of the City Council of the City of Yuba City authorizing submittal of an application to the California State Department of Housing and Community Development for funding under the HOME Investment Partnerships Program and authorizing, if selected, the execution of a standard agreement, any amendments thereto and of any related documents necessary to participate in the HOME Investment Partnerships Program.

13. Amend ground lease, easement and guarantee agreement with Gilroy Energy Center, LLC for the Feather River Energy Center Power Plant guarantee date

Recommendation: Adopt a Resolution approving amendment of Gilroy Energy Center, LLC lease. Authorize the City Manager to make minor non-substantive changes as recommended by the City Attorney.

14. Senior Center Solar Panel Installation Project

Recommendation: Adopt a resolution approving the plans and specifications for the Senior Center Solar Panel Installation Project and authorizing advertisement for bids. [Engineer's Estimate - \$200,000]

General Items

15. Presentation of Treasurer's Report – Quarter Ended June 30, 2009

Recommendation: Note & File Quarterly Treasurer's Report

16. Request to authorize the Mayor to accept a grant for \$1.4 million and enter into Grant Agreement Number R81761-0 with the State of California, The Natural Resources Agency, to construct Phase I of the Feather River Parkway – Willow Island Project

Recommendation: Enter into Grant Agreement Number R81761-0 with the State of California, The Natural Resources Agency.

17. Approval of \$3,500,000 Funding Agreement under State Drinking Water State Revolving Fund American Recovery and Reinvestment Act funding for water meter installation

Recommendation: Adopt a Resolution authorizing acceptance of a State Drinking Water State Revolving Fund and American Recovery and Reinvestment Act funding and designation of the Utilities Director to sign and submit all required documents.

Business from the City Council/Redevelopment Agency Board

18. City Council Reports

- Councilmember Dukes
- Councilmember Maan
- Councilmember Miller
- Mayor Pro Tem Gill
- Mayor McBride

Adjournment